

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COUNTY OF BUTLER, et al.,  
Plaintiffs

vs.

THOMAS W. WOLF, et al.,  
Defendants

: Civil Action No. 2:20-cv-677  
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: Hon. William S. Stickman IV  
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AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF BUTLER

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:  
: ss.  
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My name is Daryl Metcalfe. I reside in Cranberry Township, Butler County, Pennsylvania. I am an elected member of the Pennsylvania House of Representatives. I am currently serving in my 11<sup>th</sup> term as the State Representative of the 12<sup>th</sup> legislative district. The district is comprised of the municipalities of Adams Township, Callery Borough, Clinton Township, Cranberry Township, Forward Township, Mars Borough, Middlesex Township, Penn Township, Seven Fields Borough and Valencia Borough.

The seat which I represent is included in this year's election cycle. My campaign for this year's Primary and General Elections officially started in January with candidate petition circulation. I do not have a full-time campaign office location, but manage it primarily from my home. Campaign activities normally include meeting with campaign volunteers and voters at various locations throughout my district, including their homes. Campaign plans may also include fundraiser events, breakfast meetings, coffee meetings, going door to door to speak with voters and

disseminating campaign literature.

The Primary was originally scheduled for April 28, 2020 but was postponed until June 2, 2020. In March, the Governor issued his “stay-at-home” and business closure orders. His orders to close all private businesses and for healthy people to stay in their homes, severely obstructed conducting my campaign for elected office.

The business shut down order prevented me from having access to venues we reserved for fundraising events during the Primary cycle of the campaign. The impact was that my campaign was not able to raise the money budgeted for our campaign plan. Governor Wolf’s unconstitutional dictates negatively influenced our ability to execute our plan by blocking access to businesses needed for our fundraising plans. Although Butler County is now under the Governor’s “Green” designation, our ability to campaign is still impeded by perceived regulations. Restrictions that limit businesses to 50 percent capacity and prohibit gatherings of more than 250 people are some of the obstructions to campaign activity. These regulations in “Green” areas are not the result of any law passed by the legislature nor have they been vetted through the legal regulatory processes.

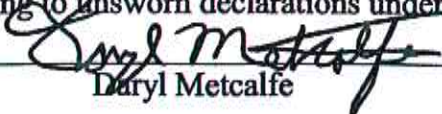
The most significant and egregious impacts on political campaigns from these shutdown and stay-at-home orders are the restrictions placed on in person interactions with campaign volunteers and voters. Throughout my more than 22 years of campaigning, grassroots activity has been the foundation of my successful campaigns. I believe that grassroots, door to door and one on one in person meetings are necessary for voters to be able to have access to the candidates who are attempting to serve in our constitutional republican form of government. Not only was the candidates’ opportunity to campaign in person obstructed by these orders, but the right of voters to have an opportunity to speak with, be heard from and discuss issues with the candidates was



stopped. My grassroots campaign activity of meeting in person, one on one with volunteers and voters was obstructed by Governor Wolf's and Secretary Levine's orders to stay at home. These orders were directed at citizens who were perfectly healthy and who had no exposure to COVID-19. These orders and regulatory schemes were not the result of any law passed by the legislature and were not vetted through the regulatory processes which would have exposed them as unconstitutional and a violation of the people's rights.

My rights as an American citizen running for political office have been violated. I have never in my life felt so much empathy for fellow citizens who have suffered due to the orders of Wolf and Levine that prohibited them from leaving home to earn a daily wage so that they could exchange it in the marketplace for food to feed themselves and their families. Our basic rights as Americans, God given rights affirmed in our Constitution, have been violated by Governor Wolf and Secretary Levine. I appeal to the court to correct this grave injustice.

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information, and belief. I declare, certify, verify, or state under penalty of perjury that the foregoing is true and correct, under 28 U.S.C. Section 1746, relating to unsworn declarations under penalty of perjury.

  
Daryl Metcalfe